

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

Adv. Pro. No. 10-05169 (CGM)

FAIRFIELD PAGMA ASSOCIATES, LP, a New
York limited partnership, SEYMOUR KLEINMAN,
ESTATE OF MARJORIE KLEINMAN A/K/A
MARJORIE HELENE KLEINMAN, BONNIE
JOYCE KANSLER, as executor, FAIRFOX, LLC, a
New York limited liability company, and SEYFAIR,
LLC, a New York limited liability company,

Defendants.

**DECLARATION OF MAXIMILLIAN S. SHIFRIN IN FURTHER SUPPORT OF
TRUSTEE'S MOTION FOR SUMMARY JUDGMENT**

I, Maximillian S. Shifrin, declare the following:

1. I am a partner of the law firm of Baker & Hostetler LLP, counsel to Irving H. Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the chapter 7 estate of Bernard L. Madoff. I submit this Declaration in further support of the Trustee’s Motion for Summary Judgment.

2. Attached hereto as Exhibit 1 is a true and correct copy of Defendants’ Initial Disclosures, dated December 18, 2015.

3. Attached hereto as Exhibit 2 is a true and correct copy of a list of Fairfield Pagma’s limited partners contained in the Fairfield Pagma Account BLMIS customer file.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Trustee’s Initial Disclosures, dated December 18, 2015.

5. Attached hereto as Exhibit 4 is a true and correct copy of a letter from the Trustee to Defendants’ counsel, dated June 14, 2016.

6. Attached hereto as Exhibit 5 is a true and correct copy of a letter from the Trustee to Defendants’ counsel, dated January 25, 2017.

7. Attached hereto as Exhibit 6 is a true and correct copy of a letter from the Trustee to Defendants’ counsel, dated August 24, 2017.

8. Attached hereto as Exhibit 7 is a true and correct copy of the Trustee’s First Set of Requests for Production to Defendant Fairfield Pagma, dated January 25, 2017.

9. Attached hereto as Exhibit 8 is a true and correct copy of the Trustee’s First Set of Interrogatories to Defendant Fairfield Pagma, dated January 25, 2017.

10. Attached hereto as Exhibit 9 is a true and correct copy of the Trustee's First Set of Requests for Production to Defendants Estate of Marjorie Kleinman and Bonnie Joyce Kansler, as Executor, dated January 25, 2017.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing statements are true and correct.

Dated: January 12, 2022
New York, New York

Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s/ Maximillian S. Shifrin
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
Email: mshifrin@bakerlaw.com